

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**May 8, 2021**

**TO:** Honorable Lois W. Kolkhorst, Chair, Senate Committee on Health & Human Services

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB1434** by Oliverson (Relating to limitations on pelvic examinations; authorizing disciplinary action, including an administrative penalty.), **As Engrossed**

<b>No significant fiscal implication to the State is anticipated.</b>
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It is assumed that the costs associated with the bill's provisions relating to limitations on pelvic examinations and to authorizing disciplinary action could be absorbed using existing resources.

The bill would prohibit health care practitioners from performing pelvic examinations on anesthetized or unconscious patients. The bill would establish when this prohibition is lifted, including in situations related to medical necessity, legal directive, standard scope of a scheduled procedure or examination, or with the receipt of informed consent.

The bill would establish protocol for obtaining informed consent from a patient or the patient's legally authorized representative when a pelvic examination will occur while the patient is anesthetized or unconscious.

The bill would authorize the appropriate licensing authority to take disciplinary action, including the imposition of administrative penalties, against health care practitioners who violate provisions of the bill.

The Texas Medical Board and the Texas Board of Nursing, agencies which license the health care professionals subject to the requirements within the bill, anticipate that any fiscal impacts related to complaints and investigations related to alleged violations could be absorbed within current appropriations.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 503 Texas Medical Board, 507 Texas Board of Nursing

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